

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ANTHONY W. RUIZ,

Plaintiff,

v.

JO ANNE B. BARNHART, Commissioner
of Social Security Administration,

Defendant.

Case No. C05-1535-MJP-JPD

ORDER OF REMAND

The Court, having reviewed plaintiff's complaint, all papers and exhibits in support and in opposition to the complaint, the Report and Recommendation of the Honorable James P. Donohue, United States Magistrate Judge, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) Plaintiff's complaint (Dkt. #3) is GRANTED. The Commissioner's decision is reversed and this action is remanded to the Social Security Administration for further proceedings not inconsistent with this opinion; and
- (3) The Clerk is directed to send copies of this Order to the parties and to Judge Donohue.

DATED this 22nd day of May, 2006.



Marsha J. Pechman
United States District Judge